IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 5641 of 2007
Date of decision : November 02, 2007

Joginder Singh

....Petitioner

versus

Ravinder Singh etc.

....Respondents

Coram: Hon'ble Mr. Justice Pritam Pal

Present : Mr. P.K. Gupta, Advocate, for the petitioner

Pritam Pal,J. (Oral)

Petitioner has brought this revision petition under Article 227 of the Constitution of India for modification of order dated 12.10.2007 and allowing the petitioner to examine Sher Singh son of Gurdev Singh by filing his affidavit.

The contention of the learned counsel for the petitioner is that on the day of filing the affidavits of other PWs, mother-in-law of Sher Singh son of Gurdev Singh, whose affidavit is now being sought to be tendered in the evidence, has expired and as such his affidavit could not be tendered on 12.10.2007. The case before the trial court is now fixed for cross-examination of other witnesses of the petitioners for 12.11.2007.

In this view of the matter, I feel that no notice is required to be sent to the respondents and in the given facts and circumstances, this revision petition is disposed of with a direction that on the aforesaid date i.e. 12.11.2007, fixed by the learned trial court, the petitioner shall be entitled to tender the affidavit of Sher Singh son of Gurdev Singh also, subject to payment of costs of Rs 1000/- to the respondents.

Copy of the order be given Dasti on payment of usual charges.

(Pritam Pal)
Judge

November 02, 2007
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